

BILL NO. X-77-12-18

ANNEXATION ORDINANCE NO. X Withdrawn

AN ORDINANCE annexing certain territory, to be known as the Colony Bay Annexation Area to the City of Fort Wayne, and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of Sections 7, 18 and 19 in Township 30 North, Range 12 East and parts of Sections 13 and 24 in Township 30 North, Range 11 East, more particularly described as follows:

Beginning at the intersection of the north right-of-way line of Covington Road and the east right-of-way line of Getz Road; thence north along the east right-of-way line of Getz Road to the intersection of the south line of the northeast 1/4 of Section 7, T 30 N, R 12 E; thence east along the east - west centerline of said Section 7 to the southwest corner of Lot 76 Westmoor Extended Addition; thence north along the west line of said Westmoor Extended Addition to the northwest corner of Lot #100; thence east 80 feet along the north line of Lot #100 to the northeast corner of said Lot; thence south 32 feet on a line parallel to the line of said Section 7; thence east on a line parallel to the north line of Section 7 a distance of 358.8 feet to the east line of Section 7; thence north on the east line of Section 7 to the north right-of-way line of Illinois Road; thence west along the north right-of-way line of Illinois Road to its intersection with the east right-of-way line extended north of Getz Road; thence south along said east right-of-way line extended to the south right-of-way line of Illinois Road; thence west along the south right-of-way line of Illinois Road to its intersection with the south right-of-way line of Interstate 69 exit ramp and continuing on this state right-of-way line to the west line of Section 7; thence south on the west line of Section 7, which is also the Aboite-Wayne Township Line, to the south right-of-way line of Covington Road; thence west on the south right-of-way line of Covington Road to the north - south centerline of the northeast 1/4, Section 13, T 30 N, R 11 E; thence south along said north - south centerline of Section 13 to the intersection of the centerline of the Moorman Drain; thence south following the centerline of the Moorman Drain and continuing south along the centerline of the Graham - McCullough #1 Drain to the southwest corner of Lot #8 Hazelhurst 2nd Addition Extended; thence east along the south line of said Lot #8 to the intersection of the extension northerly of the west line of Lot #9 Hazelhurst 2nd Addition Extended; thence southerly along the west line of said Lot #9 to the southwest

corner of said Lot #9; thence east along the south line of Lots #9 thru #14 of said Hazelhurst 2nd Addition Extended to the southeast corner of Lot #14; thence south along the west line extended of Lots #25 and #24 Hazelhurst Extended Addition to the south right-of-way line of Garland Avenue; thence easterly along the south right-of-way line of Garland Avenue and Taylor Street to the extension south of the east line of Country Club Gardens Addition; thence north along the east line of Country Club Gardens Addition to the southwest corner of Lot #7 Langford Oaks Addition; thence east along the south line of said Langford Oaks Addition to the southeast corner of Lot #8; thence north along the east line of Lots #8 and #9 to the southwest corner of Lot #19; thence east along the south line of Lots #19 and #20 to the west right-of-way line of Fountain Avenue; thence south along the west right-of-way extended to the intersection of the south right-of-way line of Glendale Drive; thence easterly along the south right-of-way line of Glendale Drive Extended to the east right-of-way line of Smith Road; thence north along the east right-of-way line of Smith Road to the intersection of the south line extended east of Rousseaus Country Club Addition; thence west along the south line of Rousseaus Country Club Addition and continuing along the south line of the Fort Wayne Country Club to the southeast corner of Lot #211 of Country Club View Addition; thence north along the east line of said Lot #211 and continuing north along the east right-of-way line of Fairway Drive to the south right-of-way line of South Bend Drive; thence northeasterly along the south right-of-way line of South Bend Drive to the south right-of-way line of Covington Road; thence west along south right-of-way line of Covington Road to the intersection of the north right-of-way line of Upper Huntington Road (U.S. #24); thence northerly along the north right-of-way line of Upper Huntington Road to the intersection of the north right-of-way line Covington Road; thence West along the north right-of-way line of Covington Road to the east right-of-way line of Getz Road, the point of beginning. An area of 1005.5 acres more or less.

With the exception of the following described territory:

A part of the Northeast Quarter of Section 7, T 30 N, R 12 E, Allen County, Indiana, described as follows, to-wit:

Commencing on the south line of said Quarter Section at a point situated 40.0 feet east of the southwest corner thereof; thence easterly along the south line of the northeast quarter a distance of 2158.79 feet; thence northerly, by an interior angle of $88^{\circ} 56'$, a distance of 1187.2 feet; thence westerly, by an interior angle of $91^{\circ} 56'$, a distance of 757.2 feet; thence southerly by an interior angle of $88^{\circ} 04'$, a distance of 40.5 feet; thence westerly on a line parallel to the south line of said Quarter Section, a distance of 330 feet to the east line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the west half of the northeast quarter of Section 7, T 30 N, R 12 E, Allen County, Indiana; thence southerly along the east line of said Pavey's Subdivision, a distance of 195.5 feet to the northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the west half of the northeast quarter of Section 7, T 30 N, R 12 E, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 in the Office of the Recorder of Allen County, Indiana; thence westerly on and along the north line of Lot #15 of said Pavey's Subdivision, also being the north line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet east of the west line of said Quarter Section, said point being on the east right-of-way line of Getz Road, thence southerly on and along the east right-of-way of Getz Road, a distance

1 of 391.3 feet to the southwest corner of Lot #16 of said
2 Pavey's Subdivision, said point also being the southwest
3 corner of Lot #30 of said plat of Breconshire, Section 1;
4 thence easterly on and along the south line of said Lot
5 #16 of Pavey's Subdivision, also being the south line of
6 said plat of Breconshire, Section 1, a distance of 1075.3
7 feet to the southeast corner of Lot #16 of said Pavey's
8 Subdivision, said point also being the southeast corner
9 of Lot #17 of said plat of Breconshire, Section 1; thence
10 southerly along the east line of Lot #17 of said Pavey's
11 Subdivision a distance of 195.8 feet to the southeast
12 corner of said Lot #17; thence westerly along the south
13 line of said Lot #17, a distance of 844.2 feet to a
14 point; thence southerly by an interior angle of 90°13',
15 a distance of 162.75 feet; thence westerly on a line
16 parallel to the south line of said Quarter Section, a
17 distance of 227.6 feet to a point situated 40.0 feet
18 east of the west line of said Quarter Section, said
19 point being on the east right-of-way line of Getz Road;
20 thence southerly on and along the east right-of-way of
21 Getz Road a distance of 212.75 feet to the point of
22 beginning; containing 47.56 acres more or less.

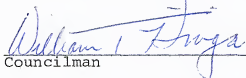
23 Section 2. It is the policy of the City of Fort Wayne to
24 furnish the above described territory within a period of one (1)
25 year from the effective date of annexation, governmental services
26 of a non-capital nature in a manner which is equivalent in standard
27 and scope to those non-capital nature services provided to areas
28 within the City which have similar topography, patterns of land
29 utilization, and population density to the said described territory.
30 It is also the policy of the City of Fort Wayne to provide services
31 of a capital improvement nature to the annexed territory within
32 three (3) years from the effective date of annexation in the same
33 manner as such services are provided to areas already within the
34 City which have similar topography, patterns of land utilization
35 and population density, and in a manner consistent with federal,
state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be
provided to the above described territory in a manner consistent
with the written fiscal Plan for the territory developed by the
Department of Community Development and Planning. Said Plan was
examined by the Common Council and is approved and adopted by the
Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Council-
manic District No. 4 of the City of Fort Wayne, Indiana, as
described in Section 2-9 of the Article 11 of the Code of the City

1 of Fort Wayne, Indiana, 1974.

2 Section 5. This Ordinance shall be in full force and effect
3 after its passage, approval by the Mayor and sixty (60) days after
4 final publication thereof as required by law.

5
6 
7 Councilman

8 Approved as to
9 form and legality

10 
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Read the first time in full and on motion by _____, seconded by _____

V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 12-11-79

Charles W. Kesterman
CITY CLERK

Read the third time in full and on motion by E. Spink,

seconded by Geo. Zusta, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

X-79-12-18

BILL NO. _____

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON Annexation TO WHOM WAS REFERRED AN
ORDINANCE annexing certain territory, to be known as the Colony Bay
Annexation Area to the City of Fort Wayne, and including
the same in Councilmanic District No. 4

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE WAS PASS.

BEN A. EISBART, CHAIRMAN

DONALD J. SCHMIDT, VICE CHAIRMAN

VIVIAN G. SCHMIDT

SAMUEL J. TALARICO

MARK E. GIAQUINTA

4-14-81
CONCURRED IN
DATE _____ CHARLES W. WESTERHOLM, CITY CLERK.

Memorandum

To Charles Westerman, City Clerk

Date March 30, 1981

From Kenric McCrory, Senior Planner, C. D. & P. *KMc*

Subject Colony Bay Annexation

COPIES TO:

Councilman Eisbart
Chief Myers
Abe Farkas

The Department of Community Development and Planning is requesting that the Colony Bay Annexation, Bill No. X-79-12-18 and Resolution R-79-12-17, be rescinded. The request is being made to permit alterations to the boundaries of the annexation area. Once the adjustments are made, a new ordinance and resolution will be submitted to the City Council for introduction.

Request for bill to be withdrawn

Memorandum

To Charles Westerman, City Clerk

Date March 31, 1981

From Kenric A. McCrory, Senior Planner, C. D. & P. *KAM*

Subject Country Club Annexation

COPIES TO:

Councilman Eisbart
Chief Myers
Abe Farkas

The Department of Community Development and Planning is requesting that the Country Club Annexation, Bill No. X-77-05-22, be rescinded. The need for this withdrawal is for two reasons. First, adjustments must be made to the boundary lines of the annexation area. Secondly, a fiscal plan must be changed and a resolution prepared to satisfy new requirements of the Indiana State Annexation Law. Once the adjustments are made, a new ordinance and resolution will be submitted to the City Council for introduction.

Request for bill to be withdrawn

Memorandum

To Charles Westerman, City Clerk

Date March 30, 1981

From Kenric McCrory, Senior Planner, C. D. & P. *Km*

Subject Colony Bay Annexation

COPIES TO:

Councilman Eisbar
Chief Myers
Abe Farkas

The Department of Community Development and Planning is requesting that the Colony Bay Annexation, Bill No. X-79-12-18 and Resolution R-79-12-17, be rescinded. The request is being made to permit alterations to the boundaries of the annexation area. Once the adjustments are made, a new ordinance and resolution will be submitted to the City Council for introduction.

Request for bill to be withdrawn

4740

DIGEST SHEET

Admn. Appr. _____

TITLE OF ORDINANCE Annexation of the Colony Bay Area X-79-12-18

DEPARTMENT REQUESTING ORDINANCE CD&P

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of

Fort Wayne.

EFFECT OF PASSAGE Described territory is annexed to the City. Other
effects to be described by Fiscal Plan to be prepared by CD&P.

EFFECT OF NON-PASSAGE Area does not become part of City. To be explained
by Fiscal Plan.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by Fiscal Plan
to be prepared by CD&P.

ASSIGNED TO COMMITTEE (J.N.) _____